

THE TOWN OF FOREST HEIGHTS
RESOLUTION 04-19

A RESOLUTION TO APPROVE AN AMENDMENT NO. 1 TO THE EXISTING SNOW REMOVAL SERVICES AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS AND FAULKNER LAWN CARE & CONSTRUCTION INC.

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter, Section 33-90 authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

WHEREAS, the Charter, Section 33-73 states that the Town of Forest Heights (the "Town") shall have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County and that subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, the Town Ordinance Code, § 20.4(a)(4) mandates that a purchase of \$10,000 or more must be approved by the Council and shall be procured competitively by advertising a request for invitations to bid, and that a minimum of three (3) bids are typically required to award a contract; and

WHEREAS, Faulkner Lawn Care & Construction Inc. t/a Faulkner Lawn Care & Landscaping (hereinafter the "Contractor") is a Maryland corporation in good standing with the State having a principal office in Oxon Hill, Maryland; and

WHEREAS, pursuant to Resolution 59-15 approved on October 21, 2015, the Town Council decided to award the bid for snow removal services as described in Request for Bids (FHRFB 2-15) to the Contractor which was to be paid from the FY 16 Budget's designated line item in the amount of \$15,000; and

WHEREAS, the Town staff recommends that certain changes or clarifications be made to the current snow removal services contract to allow more efficient and responsive calls for snow removal operations regarding a weather event predicting appreciable snow, sleet or ice precipitation; and

WHEREAS, pursuant to the FY 19 Budget approved by the Council, Line Item # 8008 (Snow/Tree Removal) was appropriated for \$20,000; and

WHEREAS, the Town Council finds that under the current contract the Contractor shall commence actual work for a weather event within 45 minutes of being called to work by the Town Administrator; however, the Council further finds that based on the above recommendations it is in the best interest of the Town to approve Amendment No. 1 to the Snow Removal Services Agreement according to the terms and conditions stated therein.

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NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and authorizes the execution of an Amendment No. 1 to the Snow Removal Services Agreement (the "Agreement"), attached hereto and incorporated herein by reference, subject to the terms and conditions stated therein and to become effective on the date of execution or as otherwise stated therein;

AND BE IT FURTHER RESOLVED, that the Mayor shall be authorized to execute said Agreement on behalf of the Town;

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 4th day of February 2019.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>YEA</u>
KENNEDY II	<u>YEA</u>
MCLAURIN	<u>NAY</u>
BARNES	<u>YEA</u>
HINES	<u>YEA</u>
WASHINGTON	<u>YEA</u>
BROWNSON	<u>NAY</u>

ATTEST:

SIGNATURE ON FILE
Sherletta Hawkins, Town Clerk

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE
By: Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE
By: Calvin Washington, Council President

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CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 4th of February 2019 with 5 Aye votes and 2 Nay vote the aforesaid Resolution 04-19 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

EXHIBIT I (SNOW REMOVAL SERVICES CONTRACT – AMENDMENT NO. 1)